

## 12.630 USE OF THE POLYGRAPH, COMPUTER VOICE STRESS ANALYZER, AND THE HYPNOTIST

### **References:**

Standards Manual - 42.2.8, 52.1.7

### **General Information:**

Polygraph and computer voice stress analyzer (CVSA) examinations supplement an investigation, but officers should not consider these examinations a substitute for field investigation. Officers should conduct investigations thoroughly and explore all possible aspects of the case.

Officers may use polygraph/CVSA examinations to identify or eliminate possible suspects and to verify information received from witnesses and victims.

Officers should not assume a person is unfit for a polygraph/CVSA examination. If any doubt exists, contact the polygraph/CVSA examiner.

The following physical or psychological conditions may affect the results of a polygraph/CVSA examination:

- Permanent illness, such as heart or respiratory diseases
- Mental disability or suicidal tendencies
- Pregnancy
- Immaturity or senility (will not affect a CVSA examination)
- Psychosis or drug addiction (will not affect a CVSA examination)

### **Policy:**

Officers may conduct polygraph examinations only on felony offenses, but may conduct CVSA examinations on misdemeanor or felony offenses.

All other polygraph/CVSA examinations, including those requested by outside agencies, must have the approval of the Police Chief or his designee.

Conduct polygraph/CVSA examinations on juveniles only after obtaining consent from either:

- The juvenile's legal, custodial parent(s), who must be present during the explanation and signing of the Notification of Rights (Form 600) and Consent Agreement (Form PG101), or
- A judge of Juvenile Court.

**Procedure:****A. Appointment:**

1. Discuss the case with the unit supervisor.
2. After obtaining approval from the unit supervisor, the officer will:
  - a. Contact the senior polygraph examiner at the Criminal Investigation Section (CIS) for available scheduling dates and times for polygraph examinations or
  - b. Contact a Personal Crimes Unit (PCU) supervisor to reserve the CVSA and obtain available scheduling dates and times.
    - 1) Officers should obtain a list from PCU of standard questions asked during a computer voice stress analysis. Tape an interview with the subject. The tape can then be analyzed as well as having the subject analyzed in person.
3. Contact the examinee to schedule a date and time for the examination.
  - a. Explain clearly to the examinee the voluntary nature of the examination. Clearly state the examination will not be conducted unless the person is willing to take it.
  - b. Stress the idea the examination process allows the examiner to verify the truthfulness of the examinee. Indicate only that the examination is easy to administer and the examiner will explain its operation.
  - c. Advise the examinee the amount of time for examinations vary. The average polygraph examination requires approximately four hours and the CVSA examination requires approximately one hour. This should serve only as a general guideline.
  - d. Advise the examinee to eat and obtain proper rest before the examination.
4. Contact the senior polygraph examiner or the CVSA examiner again and confirm the date and time for the polygraph/CVSA examination.
5. Polygraph/CVSA examiners will schedule and conduct examinations on short notice for emergencies or exceptional circumstances, unless extensive interrogation of the examinee has taken place immediately prior to the examination being conducted.

**B. Required Information for Polygraph/Computer Voice Stress Analyzer (CVSA) Examinations:**

1. Polygraph/CVSA examination results will normally be in direct relation to the volume and accuracy of the information supplied by the officer.

2. Before an examination, forward copies of the following to the polygraph/CVSA examiner's office:
  - a. A case summary report of the case to date
  - b. Description of the evidence
  - c. Statements of complainants, witnesses, and others involved
  - d. Information and evidence linking the subject to the offense. This will include motive, opportunity, personal statements, alibi, counter alibi information, etc.
  - e. Known criminal history of the subject. Also known or suspected mental or physical condition history that could bear upon the validity of the examination.
  - f. Information withheld from the examinee and known only to the perpetrator of the offense
- C. On the day of the examination:
  1. Have the examinee at CIS for the polygraph examination or at the district/predetermined place for the CVSA examination on the appointed date and time.
  2. Avoid discussing the case with the examinee immediately before the examination.
  3. Attempt to ensure the examinee is not under the influence of alcohol or drugs.
  4. Bring all reports, records, and statements pertaining to the case to the examination.
  5. Remain with the examinee to monitor throughout the examination.
- D. After the examination, the polygraph/CVSA examiner will:
  1. Discuss the results of the examination with the investigating officer.
  2. Interrogate all examinees identified as deceptive in an attempt to elicit a confession.
  3. Submit a typed polygraph report to the investigating officer within five to seven days of the polygraph examination
    - a. A typed report is not necessary after conducting a CVSA examination.
- E. Use of the Hypnotist:
  1. In some cases, a hypnotist can obtain maximum information from a witness or victim through hypnosis.

2. Coordinate all requests for services of the Department's hypnotist with the CIS Commander.
3. Hypnotize the witness or victim as soon as possible after the event under investigation.